

REMARKS

I. Summary of Office Action

Claims 133-136 were pending in this application.

Claims 133-136 have been finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Alexander et al. U.S. Patent No. 6,177,931 (hereinafter "Alexander"), and in view of Kikinis U.S. Patent 5,929,849 (hereinafter "Kikinis").

II. Summary of Applicants' Reply

Applicants have amended claims 133-136 to more particularly define the invention. No new matter has been added by the amendments.

Applicants are herewith submitting a Request for Continued Examination under 37 C.F.R. § 1.114. Accordingly, the finality of the rejections should be withdrawn and this amendment should be entered.

The Examiner's claim rejections are respectfully traversed.

III. Reply to the Rejection of Claims 133-136

Claims 133-136 have been finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Alexander in view of Kikinis.

Applicants respectfully traverse this rejection.

Applicants' amended independent claims 133-136 are directed to systems, a method, and a machine-readable medium in which local and global advertisements are distributed to user television equipment on which an interactive television program guide is implemented. Global and local advertisements are distributed to the user television equipment, and the local advertisements are designated for display in a particular geographic region. The interactive television program guide displays the global advertisements, which can be selected by a user, on an interactive television program guide display screen. The interactive television program guide displays, on at least a portion of the interactive television program guide display screen, a local advertisement that has been designated for display in the geographic region of the user television equipment and that is distinct from but corresponds to the global advertisement selected by the user.

The Office Action contends that Kikinis shows

the local advertisement is distinct from but corresponds to the global advertisement selected by the user in response to receiving user selection (the information in the web such as the location near the viewer.... is distinct from [the] brand of automobile (i.e., BMW) but corresponds to automobile), the local advertisement displaying only local information that is specific to the particular geographic region for which it is designated (displaying information of location near the viewer....).

Office Action, page 3, lines 1-7. Applicants respectfully disagree.

In Kikinis, when a user selects BMW emblem 57, a Web page is downloaded and displayed in window 71. The BMW Web page is an information portal for the TV viewer to access an abundance of information via the World Wide Web, but not available in broadcast advertisements. See Kikinis, column 7, lines 23-26. The Web page that is displayed in response to user selection of emblem 57 is not a local advertisement that has been designated for display in the particular geographic region of the user television equipment and that is distinct from but corresponds to the global advertisement selected by the user, as specified in independent claims 133-136. Rather, the selection of the emblem merely results in the display of a Web page that presents information. Though Kikinis states that information displayed in the Web page may indicate locations near the viewer where a demonstration drive may be accomplished, the location near the viewer may be one of many localities that are displayed in the Web page. Thus, there is no requirement in Kikinis that the only information displayed in the Web page, nor the Web page itself, be specifically limited to display in a particular geographic region, as required by applicants' claims.

In fact, applicants respectfully submit that the disclosure in Kikinis is insufficient to show or suggest applicants' claimed feature. Such insufficiency is apparent at least for the reason that Kikinis fails to teach or suggest any means for associating Web page addresses (e.g., URLs) to the selectable emblems that are specific to a particular geographic region. Kikinis teaches using general Web page addresses (e.g., URLs), such as <http://www.bmw.com>, to indicate which Web page will be opened when a user selects the emblem. See Kikinis, column 7, lines 4-6. As is known in the art, such an address fails to limit the display of the Web page to a particular geographic region. Moreover, even specific Web page addresses, such as <http://www.bmw.com/latestmodel>, fail to limit the display of the Web page to a particular geographic region.

Moreover, the combination of Alexander and Kikinis does not show displaying, on at least a portion of the television program guide display screen, a local advertisement that is designated for display in the particular geographic region of the user television equipment and that is distinct from but corresponds to the global advertisement selected by the user. Rather, in Kikinis, the Web site is displayed over a broadcast advertisement. See Kikinis, column 6, lines 64-67. In Alexander, advertisements are shown on an interactive

television program guide screen, but as the Office Action states on page 5, lines 1-3, "Alexander does not specifically disclose [displaying a] local advertisement [that] is distinct but corresponds to the global advertisement selected by the user."

Thus, the combination of Alexander and Kikinis does not show all the features of applicants' claims 133-136. For at least this reason, the § 103 rejection of claims 133-136 should be withdrawn.

In addition, the portion of Kikinis relied upon by the Office Action for an alleged motivation to combine Kikinis with Alexander, in fact, provides no such motivation. In particular, in page 5, lines 3-10 of the Office Action, the Examiner contends that the following portion of Kikinis "teaches displaying a local advertisement distinct but corresponds to the global advertisement selected by the user in response to receiving the user selection, and further contends that this would motivate one skilled in the art to "modify Alexander to use the teaching as taught by Kikinis in order to efficiently provide local advertisements to user via global advertisements:"

The BMW WEB page shown in window 71 of FIG. 2C is an information portal for the TV viewer to access an abundance of information via the WWW, but not available in the original TV advertisement. Such information might include, for example, colors available (with examples), body styles (with

pictures), performance data, detailed pricing structure, sales and lease terms available, locations near the viewer where a demonstration drive may be accomplished and company representatives may be interviewed, and much more. Even demonstrative videos may be downloaded and played for the viewer, if the system is equipped to display such information. Further, and importantly, a pre-filled order form may be accessed. The process of buying a dealer's product can be made painless and user/buyer friendly.

Kikinis, column 8, lines 23-37. Applicants respectfully disagree, and submit that the above-cited portion of Kikinis merely discusses many different types of information that may be displayed in a Web page. This portion does not provide any suggestion or motivation to modify Alexander to include the feature of "displaying a local advertisement, on at least a portion of the interactive television program guide screen, that is designated for display in the particular geographic region of the user television equipment and that is distinct from but corresponds to the global advertisement selected by the user," as required by applicants' claims 133-136. The Web pages in Kikinis does not include a designation that limits the display of the Web page to a particular geographic region. In fact, such a designation would be contrary to use of Web pages because Web pages, generally, can be accessed by a user located anywhere in the world. Applicants' local advertisements are only viewable by users having user

television equipment located in the particular geographic region designated for those local advertisements.

Accordingly, there is no motivation to combine Alexander with Kikinis in the manner suggested by the Examiner. The § 103 rejections of applicants' claims 133-136 should be withdrawn for this additional, independent reason.

Additional Contentions of the Office Action

On page 3, lines 9-12, the Office Action states:

Furthermore, the limitation of "the local advertisement displaying only local information that is specific to the particular geographic region for which it is designated is disclosed by Alexander (see col. 32, lines 7-54) or disclosed by Burns (figure 2a).

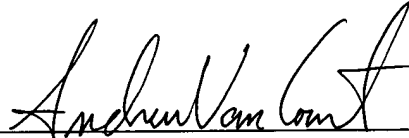
Applicants respectfully disagree with these contentions, when considering amended claims 133-136 as a whole. Burns U.S. patent 6,014,137 was brought to applicants' attention in the February 3, 2004 Office Action. Applicants respectfully submit that the claimed feature of "displaying, on at least a portion of the interactive television program guide screen, a local advertisement that is designated for display in the particular geographic region of the user television equipment and that is distinct from but corresponds to the global advertisement selected by the user" is a specific improvement over Alexander and is neither shown nor suggested by Burns.

Accordingly, for at least the foregoing reason, claims 133-136 are novel and non-obvious over Alexander and Burns, whether taken alone, or in combination.

IV. Conclusion

Applicants respectfully submit that claims 133-136 are allowable. This application is therefore in condition for allowance. Reconsideration and allowance are accordingly respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Andrew Van Court", is written over a horizontal line.

Andrew Van Court
Registration No. 48,506
Agent for Applicants
FISH & NEAVE IP GROUP
ROPES & GRAY LLP
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020
Tel.: (212) 596-9000